

TEMPORARY

Serial No. 60428-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. SEP 07 1994

Returned to applicant for correction.

Corrected application filed. Map filed SEP 07 1994 under 7940

The applicant United States of America, US Forest Service, Lake Tahoe Basin Management Unit of South Lake Tahoe, Calif. 96150

hereby make Application for permission to change the

Point of Diversion, place of use, and manner of use

of water heretofore appropriated under Permit 7940, Certificate 2364

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is South Zephyr Cove Creek

2. The amount of water to be changed 2.0 CFS, 24 AF

3. The water to be used for Timber Harvest Activities

4. The water heretofore permitted for Irrigation, Domestic, and Resort

5. The water is to be diverted at the following point within Lot 2 (SE 1/4 of NW 1/4) Section 10

T13N, R18E MDB&M or at a point from which the NE corner of said Section 10

bears N 68° 5'E, 3950 FT, at the outfall of the creek into the lake bed.

6. The existing permitted point of diversion is located within NE 1/4 of NE 1/4 Section 10, T13N, Range 18E,

MDB&M or at a point from which the NE corner of said Section 10 bears N 27°

11'E, 1086 FT

7. Proposed place of use SW 1/4 Section 1, N 1/2 and portion SE 1/4 Section 12, Section 13, S 1/2

Section 14, NE 1/4 Section 23, W 1/2 Section 24, and N 1/2 Section 25, T14N, R18E; NW 1/4

and S 1/2 Section 7, and Section 18, T14N R19E; W 1/2 Section 14, W 1/2 Section 23, SW 1/4

Sec 26 and SE 1/4 Section 27 T15N, R18E MDB&M

8. Existing place of use Portions of SW 1/4 of NE 1/4 and Lot 4 in the E 1/2 of NW 1/4, and E 1/2 of

NW 1/4 Section 10, T13N, R18E MDB&M

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from Jan 1 to Dec 31 of each year.

10. Use was permitted from Mar 1 to Nov 1 of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) Modify existing diversion works to allow water

to flow into the creek

12. Estimated cost of works Less than \$1000

13. Estimated time required to construct works completed

14. Estimated time required to complete the application of water to beneficial use.....not applicable

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Intend to divert and use water Mar 1 thru Nov 1; store unused water in lake  
for use from Nov 1 thru Mar 1. Water will be diverted from the Lake via  
Glenbrook Water System. For existing point of diversion and place of use,  
use map under Permit 7940.

By.....s/Michael J. Derrig  
870 Emerald Bay Rd, Suite 1  
So. Lake Tahoe, CA 96150

Compared.....pm/.....pm/

Protested.....

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of the waters of South Zephyr Cove Creek as heretofore granted under Permit 7940, Certificate 2364 is issued subject to the terms and conditions imposed in said Permit 7940, Certificate 2364 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This temporary permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permit 8327 (Certificate 2365), Permit 17081 (Certificate 4698), Permit 58101, and Permit 60428-T shall not exceed a total of 1000 acre feet.

The combined duty amount of 1000 acre feet per season will be the subject of a comprehensive review to determine a more exact amount when a regular change application is filed.

Permit 60428-T totally abrogates Permit 7940, Certificate 2364; therefore, no water remains under Permit 7940 for irrigation or resort use.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....2.0.....cubic feet per second....., but not to exceed 24.0 acre feet total.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P. E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this.....29th.....day of.....December.....,

A.D. 19.....94.....

*[Signature]*  
State Engineer

EXPIRED

DATE DEC 28 1995

(PERMIT TERMS CONTINUED)

The existing diversion works and any down stream ditch or pipe diversion under Permit 7940 must be modified to route water diverted under Permit 60428-T into the natural creek channel. The amount of water that passes the point of diversion of Permit 7940 shall not be less than 24 acre feet for the duration of Permit 60428-T.

A monthly monitoring report must be submitted to the State Engineer within ten (10) days from the end of each month and must specify the amount of water used under Permit 17081, Certificate 4698 and the amount of water used under Permit 60428-T. Monitoring requirements may be modified as determined by the State Engineer.

A totalizing meter must be maintained at the Glenbrook Water System Hydrant, as described on the supporting map, used to withdraw water from Lake Tahoe under Permit 60428-T. The totalizing meter must be installed and operable and the State Engineer must be notified in writing before any water is diverted or used under Permit 60428-T. In addition, prior to the use of any water under this Permit the State Engineer must be notified in writing by the operating authority of the water system of their approval of this diversion.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on December 28, 1995 at which time all rights herein granted shall revert to the right being changed by this temporary permit.